

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CARNELL GARVIN,  
Plaintiff,

v.

C.A. No. 05-30052 - MAP

D.A. SULLIVAN & SONS, INC. and  
CONSTRUCTION SAFETY SERVICES, INC.,  
Defendants.

PROPOSED SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 26(f), counsel for the parties have conferred regarding proposed discovery dates. The parties respectfully submit the following proposed discovery plan.

(1) Rule 26 Disclosure.

Plaintiff will make his initial disclosure under Rule 26(a)(1) by July 22, 2005;  
Defendants will make their initial disclosures, under Rule 26(a)(1) by August 22, 2005.

(2) Inspection of evidence.

Any physical evidence relating to the incident shall be made available for inspection by August 15, 2005.

(3) Written discovery.

All written discovery completed by February 1, 2006.

(4) Depositions.

Fact depositions will be completed by February 1, 2006.

(5) Amendment.

The parties agree the Complaint may be amended to add parties or a third-party complaint may be filed until February 20, 2006 unless the need for amendment is determined after that date but in no event, absent extraordinary circumstances, shall amendment be permitted after March 31, 2006.

(6) Experts.

Plaintiff's trial experts will be designated and disclosure of information contemplated by Fed. R. Civ. P. 26 be provided no later than March 15, 2006, and designation and disclosure be made by the defendants no later than May 15, 2006.

(7) Alternative Dispute Resolution.

ADR will be completed on or before June 15, 2006. The parties agree that if mediation before a senior judge is desired, a written motion for referral shall be filed with the Clerk.

(8) Expert depositions.

All expert depositions shall be completed on or before August 1, 2006. Plaintiff's experts will be deposed first, followed within 30 days by defendants' experts.

(9) Dispositive motions.

All dispositive motions shall be filed by October 20, 2006.

(10) Trial date.

Trial shall be scheduled on or after December 15, 2006.

The parties confirm the obligation to limit discovery set forth in Fed. R. Civ. P.

26(b).

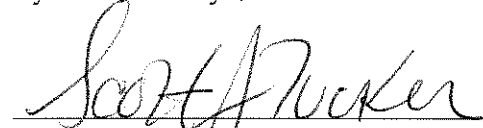
The parties shall consider phased discovery and reserve a decision with respect to discovery as to damages beyond written requests and deposition testimony of the plaintiff until a later date.

The parties will consider Alternative Dispute Resolution after completion of initial discovery.

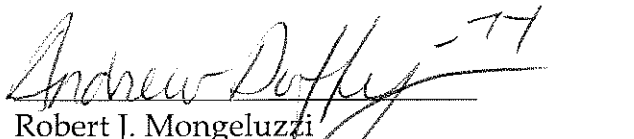
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